



AF/ 3764

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DR. MICHAEL N. BERKE
FOR: SELF-ADMINISTERED BACK MASSAGE
SERIAL NO.: 09/609,166
FILED: July 3, 2000
EXAMINER: Justine Yu, Art Unit 3764

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

This is in reply to the Office Action of 08/31/01 placing this application under FINAL REJECTION based in part on prior patent 5,113,847 to Holzworth, cited for the first time in the Office Action.

Because applicant has not had an opportunity to respond to the Holzworth patent, a response is now being made, and it is assumed that it will be entered of record.

Please amend claim 1 as follows:

Between lines 8 and 9, insert the below:

B1 —B. using as a messaging device a construction comprising a base, a plurality of semi-spherical configurations extending from one side of said base, and a vertical notch in said base having walls bounding a positioning recess therebetween;

In line 9, delete "B." and insert —C.—;

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